

MONDAY, FEBRUARY 24, 2014

FORTY-EIGHTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Dr. Eldridge Cullum, First Baptist Church, Etowah, TN.

Representative Forgety led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 93

Representatives present were Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Favors

Representative K. Brooks; illness

Representative Rich; illness

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 661 Rep(s). Moody, Pody, Van Huss and Bailey as prime sponsor(s).

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House Joint Resolution No. 694 Rep(s). Armstrong, Camper, Akbari, Miller and Shaw as prime sponsor(s).

House Bill No. 590 Rep(s). Durham as prime sponsor(s).

House Bill No. 937 Rep(s). Sanderson and Carter as prime sponsor(s).

House Bill No. 1168 Rep(s). G. Johnson as prime sponsor(s).

House Bill No. 1604 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 1613 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 1943 Rep(s). Hardaway, Dunn, Haynes, and Carter as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Haynes was/were removed as sponsor(s) of **House Bill No. 1005**.

**MESSAGE FROM THE GOVERNOR
February 21, 2014**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution No(s). 677; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**MESSAGE FROM THE SENATE
February 24, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 606; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Carter was recognized in the Well to recognize the Ooltewah High School Band for its performance at the Macy's Thanksgiving Day Parade.

RESOLUTION READ

The Clerk read House Joint Resolution No. 547, adopted on January 16, 2014, recognizing the Ooltewah High School Band for its performance at the Macy's Thanksgiving Day Parade.

House Joint Resolution No. 547 -- Memorials, Sports - Recognizes the Ooltewah High School Band for its performance at the Macy's Thanksgiving Day Parade. by *Carter, *Floyd, *McCormick, *Dean, *Favors.

RECOGNITION IN THE WELL

Representatives Gilmore was recognized in the Well to present the Black History Month presentation.

RECOGNITION IN THE WELL

Representative Womick was recognized in the Well in order to present the Boy Scouts of America and have them present the annual Boy Scouts update reports for the Troops of Tennessee.

RESOLUTIONS LYING OVER

On motion, the resolution(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 481** -- Naming and Designating - State Constitution Day, February 6th.. by *Kelsey, *Henry.

House State Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 27, 2014:

House Resolution No. 159 -- Memorials, Personal Occasion - Maxine Crouch, 100th Birthday. by *Windle.

House Resolution No. 161 -- Memorials, Recognition - Honors James H. Childress upon being named 2014 Community Hero and recognizes his achievements as Columbia's first African-American fire captain. by *Butt, *Armstrong.

House Joint Resolution No. 709 -- Memorials, Death - Geneva Anderson. by *Travis.

House Joint Resolution No. 710 -- Memorials, Death - Thomas Victor Swafford. by *Travis.

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House Joint Resolution No. 711 -- Memorials, Recognition - STAR Center of Jackson, 25th anniversary. by *Eldridge.

House Joint Resolution No. 712 -- Memorials, Recognition - Norris Lake. by *Powers.

House Joint Resolution No. 713 -- Memorials, Death - Virgil Mallett. by *Harrison.

House Joint Resolution No. 714 -- Memorials, Professional Achievement - Harvey Lafollette, Food City's Wayne Scott Memorial Grower of the Year. by *Harrison.

House Joint Resolution No. 715 -- Memorials, Professional Achievement - Jackie Charles, Governor's Volunteer Stars Award. by *Harrison.

House Joint Resolution No. 716 -- Memorials, Professional Achievement - Brittany Nicole Bowers, Governor's Volunteer Stars Award. by *Harrison.

House Joint Resolution No. 717 -- Memorials, Retirement - Margaret Wilson. by *Harrison.

House Joint Resolution No. 718 -- Memorials, Recognition - Commemorates Arnold Engineering Development Complex. by *Matheny.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 27, 2014:

Senate Joint Resolution No. 581 -- Memorials, Personal Achievement - Rebecca Hilleary, graduation. by *Yager.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2507 -- Rockwood - As introduced, subject to local approval, moves the election of mayor and city council to coincide with the regular November election beginning in 2014; increases salaries for mayor and council members effective after the 2014 and 2016 elections for such persons based on reelection dates; changes date and time of mayoral and city elections; revises provisions relating to petitions for recall, referendums and initiatives to coincide with general law. - Amends Chapter 327 of the Acts of 1903; as amended. by *Calfee.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 762** -- Utilities, Utility Districts - As introduced, increases the term for municipal power districts board of directors from four to five years; increases the number of board directors for a telephone cooperative from three to five; revises provisions governing the board of directors for telephone cooperatives and power districts. - Amends TCA Title 7 and Title 65. by *Johnson. (HB1139 by *Dunn)

Senate Bill No. 766 -- Business and Commerce - As introduced, increases the amount of days a TNInvestco has to cure any areas of noncompliance after an annual review from 60 to 90 days and increases penalty for failure to cure from \$10,000 to \$15,000 per day. - Amends TCA Title 4, Chapter 28. by *Ketron, *Overbey. (*HB653 by *White M, *Sargent)

***Senate Bill No. 1478** -- Banks and Financial Institutions - As introduced, removes prohibition that only a depository institution may own an electronic cash dispensing machine. - Amends TCA Title 45, Chapter 2. by *Johnson. (HB1550 by *Harrison)

***Senate Bill No. 1573** -- Sunset Laws - As introduced, extends the Tennessee fish and wildlife commission, June 30, 2018. - Amends TCA Title 4, Chapter 29, Part 2 and Title 70, Chapter 1. by *Bell. (HB1614 by *Matheny, *Ragan)

Senate Bill No. 1643 -- DUI Offenses - As introduced, eliminates the exception for certain employees to the ignition interlock installation requirement; clarifies provisions regarding the issuance and use of a restricted license in conjunction with an ignition interlock device. - Amends TCA Title 40, Chapter 11; Title 40, Chapter 33; Title 50; Title 55, Chapter 10, Part 4 and Title 55, Chapter 50, Part 5. by *Norris, *Beavers. (*HB1438 by *McCormick, *Shipley, *Brooks K, *Hardaway)

Senate Bill No. 1642 -- Parks, Natural Areas Preservation - As introduced, clarifies that part of Burgess Falls scenic recreation area is in White County instead of wholly within Putnam County; adds as natural scientific areas Lost Creek in White County and Window Cliffs in Putnam County. - Amends TCA Title 11, Chapter 14, Part 1. by *Norris, *Bowling, *Burks. (*HB1436 by *McCormick, *Travis, *Brooks K, *Bailey)

***Senate Bill No. 1658** -- Statutes of Limitations and Repose - As introduced, extends the period of limitation of prosecution for certain sexual offenses committed against a child to twenty-five years from the date the child becomes eighteen years of age. - Amends TCA Title 40, Chapter 2. by *Crowe, *Ketron, *Burks. (HB2355 by *Coley)

Senate Bill No. 1760 -- Education - As introduced, prohibits counting walking to and from class towards the minimum of 90 minutes per week of required physical activity for public school students. - Amends TCA Section 49-6-1021. by *Ketron. (*HB1658 by *Brooks K)

Senate Bill No. 1796 -- Evidence - As introduced, creates presumption to successor trial and appellate judges that if the original trial judge dismisses the jury following a unanimous verdict, that the judge exercised his or her duties as the 13th juror and approves the verdict. - Amends TCA Title 40, Chapter 18, Part 1. by *McNally, *Campfield, *Massey, *Yager. (*HB1526 by *Haynes, *Calfee, *Matlock)

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Senate Bill No. 1797 -- Criminal Procedure - As introduced, enacts the "Channon Christian Act", which clarifies rule of evidence regarding certain character evidence. - Amends TCA Title 24, Chapter 7, Part 1. by *McNally, *Campfield, *Massey, *Yager. (*HB1527 by *Haynes, *Kane, *Calfee, *Matlock)

***Senate Bill No. 2024** -- Motor Vehicles - As introduced, removes the requirement that an automobile retail seller must insure its GAP waiver obligation when the automobile retail seller does not assign the financing agreement of which a GAP waiver is a part to anyone other than the retail seller's related finance company. - Amends TCA Title 56, Chapter 59. by *Southerland. (HB2002 by *Littleton, *Dean)

***Senate Bill No. 2096** -- Banks and Financial Institutions - As introduced, revises various provisions relating to when certain financial institutions may pay out the proceeds of checks made payable to a deceased individual. - Amends TCA Title 3, Chapter 5; Title 4, Chapter 4; Title 45, Chapter 2; Title 45, Chapter 3 and Title 45, Chapter 4. by *Stevens. (HB2118 by *Sexton, *Fitzhugh, *Haynes, *Keisling, *Pitts, *Durham)

***Senate Bill No. 2251** -- Workers Compensation - As introduced, revised various provisions relative to certain employment not covered under the workers' compensation law. - Amends TCA Section 50-6-106. by *Massey. (HB2105 by *Haynes)

Senate Bill No. 2277 -- Basic Education Program (BEP) - As introduced, clarifies \$100 out of \$200 be given to each teacher by August 1 so that the teacher may spend it at any time during that school year on instructional supplies as determined necessary by the teacher; requires LEA to send written explanation to education committees and commissioner for any noncompliance. - Amends TCA Title 49, Chapter 3, Part 3. by *Dickerson, *Burks. (*HB1894 by *Marsh)

Senate Bill No. 2347 -- Naming and Designating - As introduced, designates June 6 as "Transverse Myelitis Awareness Day". - Amends TCA Title 15. by *Ketron. (*HB1948 by *Todd, *Sparks, *Roach)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 2499** -- Judges and Chancellors -- House Civil Justice Committee to House Finance, Ways & Means Committee

***House Bill No. 2500** -- Public Funds and Financing -- House Finance, Ways & Means Committee

***House Bill No. 2501** -- Appropriations -- House Finance, Ways & Means Committee

***House Bill No. 2502** -- Bond Issues -- House Finance, Ways & Means Committee

***House Bill No. 2503** -- Taxes, Real Property -- House State Government Committee to House Finance, Ways & Means Committee

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House Bill No. 2504 -- Sumner County -- House Local Government Committee

House Bill No. 2505 -- Mountain City -- House Local Government Committee

***House Bill No. 2506** -- Wilson County -- House Local Government Committee to House Finance, Ways & Means Committee

PRESENT IN CHAMBERS

Representative(s). Lynn was/were recorded as being present in the Chamber.

CONSENT CALENDAR

***House Bill No. 1944** -- Public Records - As introduced, designates as confidential bank account information of current and former public employees and applicants for public employment, and certain information received, compiled or maintained by employees of the treasury department's investment division. - Amends TCA Section 10-7-504. by *McCormick, *Haynes.

House Bill No. 1796 -- Livestock - As introduced, replaces various definitions of "livestock" with one standard definition. - Amends TCA Title 1; Title 38; Title 43; Title 44 and Title 63. by *Halford.

***House Bill No. 2408** -- Gates - As introduced, subject to local approval, increases length of terms for the board of mayor and aldermen from two to four years; moves the election of the board of mayor and aldermen to coincide with the regular November election beginning in 2016; extends the two-year term of the board of mayor and aldermen elected in June, 2013, to the date of the board's first regular meeting in December, 2016, following the November election. - Amends Chapter 286 of the Private Acts of 1943; as amended. by *Fitzhugh, *Stewart.

House Bill No. 1583 -- Sunset Laws - As introduced, extends the statewide community services agency, June 30, 2017, and clarifies that rules for the agency passed by commissioner of children's services prior to July 1, 2005, may be amended, replaced or repealed by the commissioner of finance and administration who has had rulemaking authority with regard to the agency since 2005. - Amends TCA Title 4, Chapter 29, Part 2 and Title 37, Chapter 5. by *Matheny, *Ragan.

On motion, House Bill No. 1583 was made to conform with **Senate Bill No. 1562**; the Senate Bill was substituted for the House Bill.

House Bill No. 1604 -- Sunset Laws - As introduced, extends the board of nursing, June 30, 2018. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 7. by *Matheny, *Ragan.

House Bill No. 1605 -- Sunset Laws - As introduced, extends board of occupational therapy, June 30, 2019. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 13. by *Matheny, *Ragan.

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House Bill No. 1607 -- Sunset Laws - As introduced, extends the state board for licensing contractors, June 30, 2020. - Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 6, Part 1. by *Matheny, *Ragan.

House Bill No. 1613 -- Sunset Laws - As introduced, extends the Tennessee film, entertainment and music commission, June 30, 2018. - Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 3, Part 50. by *Matheny, *Ragan.

House Bill No. 1624 -- Sunset Laws - As introduced, extends the advisory committee for children's special services, June 30, 2019. - Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 12, Part 1. by *Matheny, *Ragan.

House Bill No. 1627 -- Sunset Laws - As introduced, extends the Sam Davis memorial association, board of trustees, June 30, 2019. - Amends TCA Title 4, Chapter 13, Part 3 and Title 4, Chapter 29, Part 2. by *Matheny, *Ragan.

House Bill No. 1632 -- Sunset Laws - As introduced, extends the underground storage tanks and solid waste disposal control, June 30, 2018. - Amends TCA Title 4, Chapter 29, Part 2 and Title 68. by *Matheny, *Ragan.

House Bill No. 1644 -- Sunset Laws - As introduced, extends the Tellico Reservoir development agency, June 30, 2020. - Amends TCA Title 4, Chapter 29, Part 2 and Title 64, Chapter 1, Part 7. by *Matheny, *Ragan.

On motion, House Bill No. 1644 was made to conform with **Senate Bill No. 1518**; the Senate Bill was substituted for the House Bill.

House Bill No. 1587 -- Sunset Laws - As introduced, extends the Tennessee board of court reporting, June 30, 2018. - Amends TCA Title 4, Chapter 29, Part 2 and Title 20, Chapter 9, Part 6. by *Matheny, *Ragan.

House Resolution No. 157 -- Memorials, Recognition - James H. Childress, 2014 Community Hero, Tennessee's first African-American Fire Captain. by *Armstrong, *Butt.

House Resolution No. 158 -- Memorials, Death - William H. Necessary. by *Hill T.

House Joint Resolution No. 689 -- Memorials, Recognition - Elder Charles Allen. by *Watson.

House Joint Resolution No. 690 -- Memorials, Professional Achievement - Patrolman Dustin Stewart, Bartlett Police Department's Officer of the Year. by *Lollar, *Coley.

House Joint Resolution No. 691 -- Memorials, Personal Achievement - Jeremy Carver, 2013 Knights of Columbus Firefighter of the Year. by *Coley, *Lollar.

House Joint Resolution No. 692 -- Memorials, Personal Occasion - Richard & Glenda Watson, 50th wedding anniversary. by *Watson.

House Joint Resolution No. 693 -- Memorials, Recognition - Commemorates Arnold Engineering Development Complex. by *Matheny.

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House Joint Resolution No. 694 -- Memorials, Heroism - Honors Blount County's African-American soldiers who served in the Civil War and the valiant men of the United States Colored Heavy Artillery. by *Ramsey.

House Joint Resolution No. 695 -- Memorials, Death - Elizabeth "Libby" Storie Sharp. by *Carr D, *Farmer.

House Joint Resolution No. 696 -- Memorials, Personal Achievement - Sheldon Kappel, eagle scout. by *Hill M.

House Joint Resolution No. 697 -- Memorials, Recognition - George Washington Carver. by *Holt, *Faison.

House Joint Resolution No. 698 -- Memorials, Congratulations - Babe Ruth District 8 All-Star baseball team of Lawrenceburg. by *Doss.

House Joint Resolution No. 699 -- Memorials, Congratulations - Babe Ruth District 8 All-Star baseball team of Lawrenceburg on winning the 2013 District 8 and East Tennessee Babe Ruth League Championship and for their 3rd place finish in that league's Southeast Region Championships. by *Doss.

House Joint Resolution No. 700 -- Memorials, Sports - South Lawrence Elementary boys basketball. by *Doss.

House Joint Resolution No. 701 -- Memorials, Sports - Lawrenceburg 7 year old All Stars baseball team. by *Doss.

House Joint Resolution No. 702 -- Memorials, Public Service - Freddy Brashears. by *Matlock, *Calfee.

House Joint Resolution No. 703 -- Memorials, Personal Achievement - Steven Frazier Munsey, Eagle Scout. by *Matlock, *Calfee.

House Joint Resolution No. 704 -- Memorials, Personal Achievement - Ryan Charles Burcham, Eagle Scout. by *Matlock, *Calfee.

House Joint Resolution No. 705 -- Memorials, Personal Achievement - Charlie Valentine, Eagle Scout. by *Matlock, *Calfee.

House Joint Resolution No. 706 -- Memorials, Personal Achievement - Tristan Wall, Eagle Scout. by *Matlock, *Calfee.

House Joint Resolution No. 707 -- Memorials, Personal Achievement - Thomas Glanville, Eagle Scout. by *Matlock, *Calfee.

House Joint Resolution No. 708 -- Memorials, Sports - E.O. Coffman Middle School Lady Panthers basketball team. by *Doss.

OBJECTION--CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Resolution No. 157: by Rep. Armstrong

House Joint Resolution No. 693: by Rep. Matheny

Under the rules, House Resolution(s) No(s). 157 and House Joint Resolution(s) No(s). 693 were placed at the heel of the calendar for February 27, 2014.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 1434** -- Driver Licenses - As introduced, authorizes any entity contracting with the department of safety to charge an additional fee of \$4.00 for administrative costs related to the issuance, examination, and renewal of driver licenses. - Amends TCA Section 55-50-331. by *McCormick, *Sparks, *Brooks K. (SB1638 by *Norris, *Massey)

Rep. Sparks requested that House Bill No. 1434 be reset for the Regular Calendar on February 27, 2014, which motion prevailed.

***House Bill No. 1414** -- Insurance Companies, Agents, Brokers, Policies - As introduced, makes various changes to the Risk-Based Capital for Insurers Act. - Amends TCA Title 56. by *McCormick, *Goins, *Brooks K, *McManus. (SB1618 by *Norris, *Watson)

Rep. Goins moved that House Bill No. 1414 be passed on third and final consideration.

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Rep. McManus moved adoption of Insurance and Banking Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1414 by deleting SECTION 3 and substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 56-46-104(a)(1)(B), is amended by deleting the language “2.5 and has a negative trend” and replacing it with “3.0 and has a negative trend”.

AND FURTHER AMEND by deleting the language “therein” in subsection (a) in SECTION 4 and substituting instead the language “in the RBC report”.

AND FURTHER AMEND by deleting the language “hereto” in subsection (a) in SECTION 4 and substituting instead the language “to this part”.

AND FURTHER AMEND by designating the undesignated subsections in SECTION 5 as subsections (d), (e) and (f) respectively and deleting the language “subsection (d)” in subsection (f) and substituting instead the language “subsection (e)”.

AND FURTHER AMEND by deleting the language “hereunder” in SECTION 6 and substituting instead the language “under this part”.

AND FURTHER AMEND by adding the language “and” immediately following the semicolon in subdivision (8)(C) in § 56-46-201 in SECTION 7.

AND FURTHER AMEND by deleting the language “(i.e. net worth)” in subsection (c) in § 56-46-202 in SECTION 7 and substituting instead the language “, also known as net worth,”.

AND FURTHER AMEND by deleting the language “(i.e. net worth)” in subdivision (11)(A) in § 56-46-201 in SECTION 7 and substituting instead the language “, also known as net worth,”.

AND FURTHER AMEND by deleting the language “byte” in subdivision (f)(2) in § 56-46-203 in SECTION 7 and substituting instead the language “by the”.

AND FURTHER AMEND by deleting the language “paragraph” in subdivision (b)(2) in § 56-46-205 in SECTION 7 and substituting instead the language “subsection (b)”.

AND FURTHER AMEND by deleting the language “any of the foregoing” in subsection (b) in § 56-46-206 in SECTION 7 and substituting instead the language “this subsection (b)”.

AND FURTHER AMEND by redesignating subdivision (c)(3) as (c)(3)(A) and subdivision (c)(4) as (c)(3)(B) in subsection (c) in § 56-46-209 in SECTION 7.

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AND FURTHER AMEND by deleting the language “§ 56-46-103 of this part” in subsection (b) in § 56-46-210 in SECTION 7 and substituting instead the language “§ 56-46-203”.

AND FURTHER AMEND by adding the following new SECTION immediately preceding SECTION 11 and redesignating the subsequent section accordingly:

SECTION 11. The heading to Part 2 in this act is for reference purposes only and does not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the heading in any compilation or publication containing this act.

On motion, Insurance and Banking Committee Amendment No. 1 was adopted.

Rep. Goins moved that **House Bill No. 1414**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 1544 -- Food and Food Products - As introduced, clarifies that poultry producers and growers acting in compliance with federal exemptions are exempt by regulation from specific provisions of the Tennessee Meat and Poultry Inspection Act; requires department of agriculture to maintain information concerning federal poultry producer and grower exemptions on its web site. - Amends TCA Title 4, Chapter 3, Part 2; Title 43 and Title 53, Chapter 7. by *Bailey. (*SB1707 by *Niceley)

On motion, House Bill No. 1544 was made to conform with **Senate Bill No. 1707**; the Senate Bill was substituted for the House Bill.

Rep. Bailey moved that Senate Bill No. 1707 be passed on third and final consideration.

Rep. McCormick moved the previous question, which motion prevailed.

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Rep. Bailey moved that **Senate Bill No. 1707** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 1545 -- Agriculture - As introduced, clarifies that buildings used as residences by farmers and farm workers are "incidental to the agricultural enterprise". - Amends TCA Title 13, Chapter 7, Part 1. by *Bailey. (*SB1706 by *Niceley, *Bowling)

On motion, House Bill No. 1545 was made to conform with **Senate Bill No. 1706**; the Senate Bill was substituted for the House Bill.

Rep. Bailey moved that Senate Bill No. 1706 be passed on third and final consideration.

Rep. M. Hill moved the previous question, which motion prevailed.

Rep. Bailey moved that **Senate Bill No. 1706** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

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House Bill No. 1708 -- Prisons and Reformatory Institutions - As introduced, requires the standards for the square footage of cells in local correctional facilities to be the minimum standards required by the American Correctional Association in effect at the time of the construction of the facility instead of the 2008 standards; authorizes local correctional facilities the option of conforming to more recent standards than those in effect at the time of construction; exempts certain local correctional facilities from standards. - Amends TCA Section 41-4-140. by *Hawk. (*SB1670 by *Southerland, *Bowling)

Rep. Hawk moved that House Bill No. 1708 be passed on third and final consideration.

Rep. Haynes moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1708 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 41-4-140(f), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(f)

(1) Notwithstanding subsection (a), any local correctional facility:

(A) Shall meet the square footage requirements for single-occupancy or multi-occupancy cells contained in the minimum standards required by the Tennessee corrections institute that were in effect at the time of the construction of the facility; or

(B) May elect to conform to a more recent minimum standards required by the American Correctional Association in order to accommodate a larger inmate population.

(2) A local correctional facility constructed before the effective date of any minimum standards required by the Tennessee corrections institute shall be exempt from the square footage requirements described in this subsection (f), unless the exemption poses a serious life, safety, or security hazard as determined by the board of control of the Tennessee corrections institute.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

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Rep. Hawk moved that **House Bill No. 1708**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 1943 -- Tort Liability and Reform - As introduced, confers civil immunity upon a person who forcibly enters a motor vehicle for purpose of removing a minor locked or trapped inside the vehicle if the person has good faith belief that the minor is in imminent danger of suffering harm if not immediately removed. - Amends TCA Title 29, Chapter 34, Part 2. by *Hawk, *Durham, *Dunn, *Haynes, *Carter. (*SB2072 by *Southerland)

Rep. Hawk moved that **House Bill No. 1943** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

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***House Bill No. 1417** -- Cemeteries - As introduced, limits who may petition the Davidson County chancery court for appointment of a receiver to take charge of a cemetery to the commissioner of commerce and insurance, by removing the present authority for a lot owner or descendant or next of kin of a lot owner to so petition the court. - Amends TCA Title 46, Chapter 1, Part 3. by *McCormick, *Carter, *Brooks K. (SB1621 by *Norris, *Johnson)

Rep. Carter moved that **House Bill No. 1417** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

***House Joint Resolution No. 661** -- General Assembly, Statement of Intent or Position - Condemns the administration of the University of Tennessee for permitting "Sex Week" to be held on the UT-Knoxville campus. by *Floyd, *Womick, *Durham, *Powers, *Rogers, *Hall, *Holt, *Hill M, *Carr J, *Dean, *Eldridge, *Faison, *Dunn, *Doss, *Casada, *Hill T, *Goins, *Travis, *Littleton, *Williams R, *Roach, *Alexander, *Forgety, *Lollar, *Matlock, *Brooks H, *Shipley, *Lynn, *Weaver.

Rep. Floyd moved adoption of House Joint Resolution No. 661.

Rep. H. Brooks moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 661 by deleting from the first resolving clause the words "the administration of" and by substituting instead the following:

the organizers of sex week at

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Dean moved the previous question, which motion passed by the following vote:

Ayes	65
Noes.....	25

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Representatives voting aye were: Alexander, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 65

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, DeBerry J, Doss, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M -- 25

Rep. Floyd moved adoption of **House Joint Resolution No. 661**, as amended, which motion prevailed by the following vote:

Ayes	69
Noes.....	17
Present and not voting.....	3

Representatives voting aye were: Alexander, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Shipley, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 69

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, Fitzhugh, Hardaway, Jernigan, Johnson G, Jones, Miller, Odom, Parkinson, Shaw, Shepard, Stewart, Turner J, Turner M -- 17

Representatives present and not voting were: Gilmore, Love, Tidwell -- 3

A motion to reconsider was tabled.

***House Bill No. 590** -- Annexation - As introduced, requires, prior to a municipality annexing within its urban growth boundary, the approval of a majority vote of qualified voters in the territory proposed for annexation. - Amends TCA Title 6, Chapter 51 and Title 6, Chapter 58. by *Van Huss, *McManus, *Carter, *Rogers, *Hill T, *Hill M, *Holt, *Weaver, *Pody, *Calfee, *Hall, *Lynn, *Spivey, *Doss, *Faison, *Ragan, *Carr J, *Floyd, *Matheny, *Butt, *Matlock, *Hawk, *Watson, *Shipley, *Haynes, *Travis, *Rich, *Keisling, *Kane, *DeBerry J, *Brooks H, *Farmer, *McCormick, *Casada, *Brooks K, *Todd, *Womick, *Sexton, *Dunn, *Moody, *Powers, *Dennis, *Coley, *Lamberth, *Lollar, *Dean, *Alexander, *Williams R, *Sparks, *Odom, *Love, *Shepard, *Williams K, *White M, *White D, *Littleton, *Evans, *Sanderson, *Bailey. (SB869 by *Crowe, *Watson, *Kelsey)

Rep. Van Huss moved that House Bill No. 590 be passed on third and final consideration.

Rep. M. Hill moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 590 is amended by deleting everything after the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 6-51-102, is amended by deleting subdivisions (a)(1) and (2) in their entirety and by substituting instead the following language:

(a)

(1) A municipality, when petitioned by a majority of the residents and property owners of the affected territory, after notice and public hearing, by ordinance, may extend its corporate limits by annexation of such territory adjoining its existing boundaries as may be deemed necessary for the welfare of the residents and property owners of the affected territory as well as the municipality as a whole; provided, that the ordinance shall not become operative until thirty (30) days after final passage thereof. During this thirty-day period, the municipality shall notify the county mayor in whose county the territory being annexed is located that territory located in the unincorporated part of the county is being annexed by the municipality. The notification shall include a copy of the annexation ordinance and a map of the area being annexed.

(2)

(A) A municipality, upon its own initiative when it appears that the prosperity of such municipality and territory will be materially retarded and the safety and welfare of the inhabitants and property endangered, after notice and public hearing, by ordinance, may extend its corporate limits by annexation of such territory adjoining its existing boundaries as may be deemed necessary for the welfare of the residents and property owners of the affected territory as well as the municipality as a whole; provided, that the ordinance shall not become

operative until approval of such annexation by a majority of qualified voters who reside in the territory proposed for annexation.

(B) If a proposal to extend the corporate limits by the annexation of territory adjoining the existing boundaries of a municipality is proposed by the municipality upon its own initiative by ordinance, the ordinance shall not become operative until an election is held at the expense of the proposing municipality for approval or disapproval of such annexation by the qualified voters who reside in the territory proposed for annexation. The municipality shall give one hundred eighty (180) days notice to the residents of the territory proposed for annexation by sending the affected residents by registered mail, return receipt requested, the proposed ordinance. The operation of the ordinance shall be subject to approval of

the voters who reside in such territory to be determined in an election pursuant to subdivision (a)(2)(C).

(C) The county election commission shall hold an election thereon at the next regularly scheduled election for the county, providing options to vote "For" or "Against" the ordinance. A majority vote of those voting in the election shall determine whether the ordinance is to be operative. A vote "For" the ordinance shall be a vote "For Annexation" and a vote "Against" the ordinance shall be a vote "Against Annexation". If the vote is for the ordinance, the ordinance shall become operative thirty (30) days after the date that the county election commission makes its official canvass of the election returns; such ordinance shall not become operative before the expiration of one hundred twenty (120) days following the final passage of the annexation ordinance. If the ordinance is rejected, all relevant provisions in this chapter shall apply to the question of annexation in such county.

SECTION 2. Tennessee Code Annotated, Section 6-58-111(a), is amended by deleting the language "A municipality possesses exclusive authority to annex territory located within its approved urban growth boundaries" and by substituting instead the language "Except as provided in § 6-51-102(a), a municipality possesses exclusive authority to annex territory located within its approved urban growth boundaries".

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 590 by deleting from subdivision (a)(2)(B) in SECTION 1 of the bill the language:

The municipality shall give one hundred eighty (180) days notice to the residents of the territory proposed for annexation by sending the affected residents by registered mail, return receipt requested, the proposed ordinance.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. M. Turner requested that Amendment No. 3 be rolled to Heel of amendments, which motion prevailed.

Rep. M. Turner moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 590 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 6-51-102, is amended by adding the following language as a new, appropriately designated subsection:

() Any county having a metropolitan form of government may expand the area of its urban services district using any method authorized by its charter. Such expansion may also be accomplished using any method, identified by charter reference to general annexation law, that was applicable at the time the charter or amendment was approved by referendum held pursuant to Article XI, § 9 of the Tennessee Constitution and Tennessee Code Annotated, § 7-2-106(c) or § 7-2-108(a)(20).

On motion, Amendment No. 4 was adopted.

Rep. M. Turner moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Ramsey moved that Amendment No. 5 be withdrawn, which motion prevailed.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Van Huss moved that **House Bill No. 590**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes.....	8
Present and not voting.....	5

Representatives voting aye were: Alexander, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Evans, Faison, Farmer, Floyd, Gilmore, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Rogers, Sargent, Sexton, Shepard, Shipley, Sparks, Spivey, Stewart, Tidwell, Todd, Travis, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 78

Representatives voting no were: Akbari, Armstrong, Fitzhugh, Hardaway, Johnson G, Miller, Towns, Turner J -- 8

Representatives present and not voting were: Eldridge, Forgety, Ramsey, Sanderson, Swann -- 5

A motion to reconsider was tabled.

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***House Bill No. 1419** -- State Government - As introduced, allows the state to sell real property and convey any interest or rights in minerals, coal, natural gas, oil, timber and any other energy-related resources by public auction in addition to the sealed bid method. - Amends TCA Section 12-2-112. by *McCormick, *White D, *Brooks K. (SB1623 by *Norris, *Ketron)

Rep. McCormick moved that House Bill No. 1419 be reset for the Regular Calendar on February 27, 2014, which motion prevailed.

House Bill No. 937 -- TennCare - As introduced, prohibits Tennessee from participating in any Medicaid expansion authorized under the federal Patient Protection and Affordable Care Act. - Amends TCA Title 4 and Title 71. by *Durham, *Powers, *Ragan, *Calfee, *Rich, *Casada, *Goins, *Rogers, *Carr J, *Floyd, *Matheny, *Dennis, *White D, *Littleton, *Evans, *Kane, *Lamberth, *Lynn, *Sargent, *Faison, *Butt, *Matlock, *Todd, *Womick, *Spivey, *Weaver, *Lundberg, *Holt, *Brooks K, *Carter. (*SB804 by *Kelsey, *Bowling, *Tracy, *Ketron, *Gresham, *Bell, *Southerland, *Niceley, *Campfield, *Beavers, *Summerville, *Haile, *Johnson)

Rep. Durham moved that House Bill No. 937 be passed on third and final consideration.

Rep. McManus moved that Insurance and Banking Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 937 by deleting all language after the caption and substituting instead the following:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The Governor shall not make any decision or obligate the State of Tennessee in any way with regard to the expansion of optional enrollment in the medical assistance program, also known as the Medicaid program, pursuant to the Patient Protection and Affordable Care Act, Public Law 111-148, as interpreted by the United States Supreme Court in *National Federation of Independent Business v. Sebelius* to be unconstitutional when applied to states as a mandatory expansion, unless authorized by joint resolution of the General Assembly.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Fitzhugh requested that Amendment No. 3 be moved behind Amendment No. 5, which motion prevailed.

Rep. Fitzhugh requested that Amendment No. 4 be moved two spaces, which motion prevailed.

Rep. Fitzhugh moved adoption of Amendment No. 5 as follows:

Amendment No. 5

AMEND House Bill No. 937 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following language as a new appropriately designated section:

71-5-151.

Notwithstanding any other provision of this part, medical assistance under this chapter and any federal waiver authorized by this chapter shall be extended to provide the full extent of the Medicaid eligibility expansion permitted by the Patient Protection and Affordable Care Act (P.L. 111-148), as amended, for which the enhanced federal financial assistance matching rate is one hundred percent (100%). The expansion mandated by this section shall continue in effect only so long as the federal financial assistance matching rate for the expansion population remains at one hundred percent (100%). When the enhanced matching rate ceases to be one hundred percent (100%), then the eligibility criteria for medical assistance shall return to the criteria in place on January 1, 2014.

SECTION 2. This act shall take effect on becoming law, the public welfare requiring it.

Rep. Durham moved Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes.....65
Noes.....25

Representative voting aye were: Alexander, Bailey, Brooks H, Calfee, Carr D, Carr J, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 65

Representatives voting no were: Akbari, Armstrong, Camper Cooper, DeBerry J, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M, Williams K -- 25

Rep. Fitzhugh moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 937 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following as a new section:

On or before July 1, 2014, the commissioner of finance and administration is directed to submit an appropriate waiver under any applicable federal law to the federal department of health and human services that:

(1) Expands eligibility for medical assistance under title 71, chapter 5, part 1 to the full extent permitted by the federal Patient Protection and Affordable Care Act, Public Law 111-118, as amended; and

(2) Conditions such eligibility expansion on implementing the Tennessee Plan and involves:

(A) Use of private insurance;

(B) Use of cost sharing by expansion enrollees; and

(C) A payment reform system based on the state's innovation model, or SIM proposal, as developed by the department of finance and administration.

Rep. Durham moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes.....69
Noes.....24

Representatives voting aye were: Alexander, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 69

Representatives voting no were: Akbari, Armstrong, Camper Cooper, DeBerry J, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M -- 24

Rep. Fitzhugh moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 937 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Notwithstanding SECTION 1, if the governor, the TennCare bureau and division of health care finance and administration, department of finance and administration, department of commerce and insurance, or any other department in the executive branch of state government receives a waiver to participate in Medicaid expansion under the Patient Protection and Affordable Care Act, then the terms of the waiver shall immediately become law until the general assembly reconvenes. The general assembly shall vote to approve or disapprove of the Medicaid waiver on the first legislative day following the expansion of Medicaid, whether in an annual regular session or special session.

Rep. Durham moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes.....	69
Noes.....	24

Representatives voting aye were: Alexander, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 69

Representatives voting no were: Akbari, Armstrong, Camper Cooper, DeBerry J, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M -- 24

Rep. Stewart moved adoption of Amendment No. 6 as follows:

Amendment No. 6

AMEND House Bill No. 937 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Within thirty (30) days of the passage of this act, the governor shall provide a full and detailed written description of any proposed plan for Medicaid expansion which plan was developed within the governor's administration, including any plan purporting to be the Tennessee Plan announced before a joint session of the general assembly on March 27, 2013, to

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the speaker of the house and speaker of the senate. The description shall upon distribution become a public document.

Rep. Durham moved that Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes.....69
Noes.....24

Representatives voting aye were: Alexander, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 69

Representatives voting no were: Akbari, Armstrong, Camper Cooper, DeBerry J, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M -- 24

Rep. Stewart moved adoption of Amendment No. 7 as follows:

Amendment No. 7

AMEND House Bill No. 937 by adding the following section immediately preceding the last section and by redesignating the remaining section accordingly:

SECTION _____. The division of TennCare shall provide a report quarterly to the general assembly which report will contain a county by county analysis of the cost of rejecting the federal dollars under the Patient Protection and Affordable Care Act and the numbers of people impacted. The division shall include in each quarterly report a list of all hospitals that have closed or eliminated services during the quarter and a county by county estimate of uncompensated care provided by hospitals during that quarter.

Rep. Durham moved that Amendment No. 7 be tabled, which motion prevailed by the following vote:

Ayes.....68
Noes.....25

Representatives voting aye were: Alexander, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 68

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Representatives voting no were: Akbari, Armstrong, Camper Cooper, DeBerry J, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 25

Rep. Love moved adoption of Amendment No. 8 as follows:

Amendment No. 8

AMEND House Bill No. 937 by adding the following new sections immediately preceding the last section and by renumbering the remaining section accordingly:

SECTION __. Tennessee Code Annotated, Title 71, Chapter 1 as a new, appropriately designated section:

(a) There is hereby created, within the legislative department, the health equity commission. The commission shall consist of twelve (12) members. Three (3) senators shall be appointed by the speaker of the senate, at least one (1) of whom shall be appointed from the membership of each of the following standing committees of the senate: finance, ways and means; general welfare, health and human resources; and commerce, labor and agriculture. Three (3) citizen members, who are knowledgeable on matters relating to health equity, shall be appointed by the speaker of the senate. One (1) such citizen member shall reside in each of the state's three (3) grand divisions. Three (3) representatives shall be appointed by the speaker of the house of representatives, at least one (1) of whom shall be appointed from the membership of each of the following standing committees of the house: finance, ways and means; general welfare; and commerce. Three (3) citizen members, who are knowledgeable on matters relating to health equity, shall be appointed by the speaker of the house. During the organizational session of each general assembly, the respective speakers shall reappoint or appoint legislative as well as citizen members to service on the health equity commission. Any vacancies occurring on the commission, between organizational sessions, shall be filled by the respective speakers in accordance with requirements of this subsection (a).

(b) The commission shall meet at least quarterly and at the call of the chair. Legislative members of the commission shall be entitled to reimbursement for their expenses in attending meetings of the commission or any subcommittee thereof at the same rates and in the same manner as when attending the general assembly. Citizen members of the commission shall receive no salary but shall be eligible to receive reimbursement for actual and necessary travel expenses incurred while performing commission business. Such reimbursement shall be paid in accordance with the comprehensive travel regulations promulgated by the commissioner of finance and administration and approved by the attorney general and reporter.

(c) The commission shall elect from its membership a chair, a vice chair and such other officers as it deems necessary.

(d) Each citizen member of the commission shall serve a term of one (1) complete two-year general assembly. Public members shall be eligible for reappointment. They shall serve until the expiration of the term to which they were appointed and their successors are appointed. A vacancy occurring other than by

expiration of term shall be filled in the same manner as the original appointment but for the unexpired term only.

SECTION _____. Tennessee Code Annotated, Title 71, Chapter 1, as a new appropriately designated section:

The health equity commission is authorized to:

- (1) Create subcommittees related to its purposes;
- (2) Request standing committees of the general assembly, the fiscal review committee, and any agencies or entities of state government to study and report on designated policy matters relating to health equity;
- (3) Conduct such meetings and public hearings in Nashville and across the state as shall be necessary to increase public awareness of the social determinants of health and the elimination of health inequalities;
- (4) Employ commission staff, subject to the availability of funding for such purpose and subject to approval by both speakers;
- (5) Enter into contracts for technical or professional services, subject to the availability of funding for such purpose and subject to approval by both speakers; and
- (6) Perform such other duties as are required by the provisions of this part or as may be requested by joint resolution of the general assembly.

SECTION _____. Tennessee Code Annotated, Title 71, Chapter 1, is amended by adding the following language as a new section:

(a) It is the duty of the health equity care commission to:

- (1) Review current state policies, health promotions and interventions designed to address inequalities in health as reflected in Tennessee statutes, regulations, programs, services and budgetary priorities;
- (2) Study the social determinants of health or the root causes of the inequalities that jeopardize the health of Tennessee's minority and vulnerable communities, including, but not limited to, such persistent problems as teen pregnancy, infant mortality, chronic diseases, infectious diseases, preventable disorders, access to quality and affordable health care, cultural incompetence, and poverty;
- (3) Define and establish the components, guidelines and objectives of a comprehensive state policy to eliminate health disparities and provide advice to the commissioner of finance and administration concerning the state health plan developed pursuant to § 68-11-1625;

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(4) Identify any Tennessee laws, regulations, programs, services and budgetary priorities which conflict with the components, guidelines and objectives of such comprehensive policy;

(5) Search for any interdepartmental gaps, inconsistencies and inefficiencies in the implementation or attainment of such comprehensive policy;

(6) Identify any new laws, regulations, programs, services and budgetary priorities which are needed to ensure and promote health equity for Tennessee's minority and vulnerable populations;

(7) Serve as an in-house informational resource for the general assembly on policy matters regarding emerging trends and social conditions that promote or inhibit the elimination of health disparities; and

(8) Perform such other activities as are reasonably related to the legislative intent of this part, including, but not necessarily limited to, improving public awareness of the state's health equity problems.

(b) The commissioner of health shall report at least once per year the performance of duties and responsibilities assigned by law to the Tennessee office of minority health.

Rep. Durham moved that Amendment No. 8 be tabled, which motion prevailed by the following vote:

Ayes.....67
Noes.....25

Representatives voting aye were: Alexander, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 67

Representatives voting no were: Akbari, Armstrong, Camper Cooper, DeBerry J, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M, Windle -- 25

Rep. Casada moved the previous question, which motion prevailed by the following vote:

Ayes 67
Noes..... 25

Representatives voting aye were: Alexander, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick,

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McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shepard, Shipley, Spivey, Swann, Todd, Travis, Van Huss, Watson, Weaver, White D, White M, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 67

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, DeBerry J, Dunn, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Shaw, Stewart, Tidwell, Towns, Turner J, Turner M, Williams K -- 25

Rep. Durham moved that **House Bill No. 937**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 69
Noes..... 24

Representatives voting aye were: Alexander, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shipley, Sparks, Spivey, Swann, Todd, Travis, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 69

Representatives voting no were: Akbari, Armstrong, Camper, Cooper, DeBerry J, Fitzhugh, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Love, Miller, Mitchell, Odom, Parkinson, Pitts, Shaw, Shepard, Stewart, Tidwell, Towns, Turner J, Turner M -- 24

A motion to reconsider was tabled.

House Bill No. 1479 -- Agriculture, Dept. of - As introduced, repeals the statutory labeling and testing of honey; retains authorization for the department to promulgate rules and regulations on the subject. - Repeals TCA Title 53, Chapter 15. by *Faison. (*SB1493 by *Bell)

On motion, House Bill No. 1479 was made to conform with **Senate Bill No. 1493**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 1493 be passed on third and final consideration.

Rep. Lollar moved the previous question, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 1493** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Fitzhugh, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G,

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Jones, Kane, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives voting no were: Evans -- 1

A motion to reconsider was tabled.

***Senate Joint Resolution No. 573** -- Memorials, Retirement - Lynn Elkins. by *Southerland.

Rep. Goins moved that the House concur in Senate Joint Resolution No. 573.

Rep. Goins moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Joint Resolution No. 573 by deleting the third preamble clause and by substituting instead the following:

WHEREAS, she is a native of Tennessee who graduated from the University of Tennessee with a Bachelor's Degree in Business Administration and later received a Master's Degree in Organizational Management; and

AND FURTHER AMEND by deleting from the fifth preamble clause the language "for 20 years" and by substituting instead the language "for twenty years".

AND FURTHER AMEND by deleting the first resolving clause and by substituting instead the following:

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED EIGHTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that we extend to Lynn Elkins our heartfelt wishes for a happy and fulfilling retirement and for every continued success in her future endeavors.

On motion, Amendment No. 1 was adopted.

Rep. Goins moved that the House concur in **Senate Joint Resolution No. 573**, as amended, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis,

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Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

House Bill No. 1005 -- Insurance Companies, Agents, Brokers, Policies - As introduced, makes various changes concerning coverage of sinkhole losses and subsequent structural repair. - Amends TCA Section 56-7-130. by *Kane, *Eldridge, *Matlock. (*SB880 by *Tracy)

On motion, House Bill No. 1005 was made to conform with **Senate Bill No. 880**; the Senate Bill was substituted for the House Bill.

Rep. Kane moved that Senate Bill No. 880 be passed on third and final consideration.

Rep. McManus moved that Insurance and Banking Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McManus moved adoption of Insurance and Banking Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 880 by deleting the language “subdivision (d)(7)” in § 56-7-130(f)(1) in SECTION 1 of the bill, as amended by amendment (drafting # 11036) and substituting instead the language “subdivision (e)(7)”.

On motion, Insurance and Banking Committee Amendment No. 2 was adopted.

Rep. Haynes moved the previous question, which motion prevailed.

Rep. Kane moved that **Senate Bill No. 880**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	53
Noes.....	33
Present and not voting.....	3

Representatives voting aye were: Armstrong, Bailey, Brooks H, Butt, Calfee, Carr D, Casada, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Forgety, Goins, Halford, Hall, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Johnson C, Kane, Keisling, Lamberth, Littleton, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Powers, Ragan, Ramsey, Rogers, Sargent, Shepard, Shipley, Spivey, Swann, Van Huss, White D, White M, Williams R, Windle, Wirgau -- 53

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Representatives voting no were: Akbari, Alexander, Carr J, Carter, Coley, DeBerry J, Fitzhugh, Floyd, Gilmore, Hardaway, Jernigan, Johnson G, Jones, Lollar, Love, Miller, Mitchell, Odom, Parkinson, Pody, Sanderson, Sexton, Shaw, Sparks, Stewart, Todd, Towns, Travis, Turner J, Turner M, Weaver, Williams K, Womick -- 33

Representatives present and not voting were: Dean, Tidwell, Watson -- 3

A motion to reconsider was tabled.

House Bill No. 1464 -- Contractors - As introduced, requires state board for licensing contractors to deny an application for a license to engage in contracting if the board finds the applicant's name to be identical with or similar to that of an existing licensed contractor; provision not applicable if the applicant's name has been trademarked. - Amends TCA Title 62, Chapter 6. by *Ramsey. (*SB1435 by *Overbey)

On motion, House Bill No. 1464 was made to conform with **Senate Bill No. 1435**; the Senate Bill was substituted for the House Bill.

Rep. Ramsey moved that **Senate Bill No. 1435** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

House Bill No. 1089 -- Education, Higher - As introduced, requires that, prior to being submitted to the general assembly, all requests for funding certain higher education projects for a board of regents or University of Tennessee member institution be reviewed and acted upon through existing procedures governing such requests. - Amends TCA Title 9 and Title 49. by *Brooks H, *Sargent. (*SB975 by *McNally, *Gresham)

On motion, House Bill No. 1089 was made to conform with **Senate Bill No. 975**; the Senate Bill was substituted for the House Bill.

Rep. H. Brooks moved that Senate Bill No. 975 be passed on third and final consideration.

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Rep. Forgety moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Forgety moved that Education Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Forgety moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 975 by deleting the language "requirements of subsections (a) and (b)," in SECTION 1(f) and by substituting instead the language "requirements of subsections (b) and (c),".

On motion, Amendment No. 3 was adopted.

Rep. H. Brooks moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND Senate Bill No. 975 by adding between the word "Tennessee" and the punctuation "." in the first sentence of amendatory § 49-7-__ (b) of SECTION 1 the language "and the chief executive officer of the institution for which the proposal or request for state funding is made".

AND FURTHER AMEND by adding between the word "made" and the punctuation "." in the sentence of amendatory § 49-7-__ (c) of SECTION 1 the language "and the chief executive officer of the institution, campus or unit".

On motion, Amendment No. 4 was adopted.

Rep. H. Brooks moved that **Senate Bill No. 975**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes.....	3
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Odom, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Todd, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 86

Representatives voting no were: Akbari, Fitzhugh, Towns -- 3

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Representatives present and not voting were: Cooper -- 1

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Coley moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 606 out of order which motion prevailed.

Senate Joint Resolution No. 606 -- Memorials, Death - Lisa Huffstetler. by *Tate.

On motion of Rep. Coley, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Mitchell moved that the rules be suspended for the purpose of introducing House Resolution No. 160 out of order, which motion prevailed.

House Resolution No. 160 -- Memorials, Death - Glenn Mull, Elaine Mull, Amy Harter, Samantha Harter. by *Mitchell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Mitchell, the resolution was adopted.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Armstrong **House Resolution No. 157** was withdrawn from the House.

On motion of Rep. Tidwell **House Bill No. 2420** was recalled from the Finance, Ways & Means Committee and withdrawn from the House.

On motion of Rep. Matheny **House Joint Resolution No. 693** was withdrawn from the House.

On motion of Rep. McCormick **House Bill No. 1459** was recalled from the Health Committee and withdrawn from the House.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bill No. 1679** to be heard in State Government Subcommittee this week.

Without objection, it was so ordered.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 548 Rep(s). R. Williams and Sparks as prime sponsor(s).

House Bill No. 1279 Rep(s). Jernigan as prime sponsor(s).

House Bill No. 1409 Rep(s). Powell as prime sponsor(s).

House Bill No. 1487 Rep(s). Tidwell and Keisling as prime sponsor(s).

House Bill No. 1547 Rep(s). Lamberth as prime sponsor(s).

House Bill No. 1647 Rep(s). Goins as prime sponsor(s).

House Bill No. 1679 Rep(s). Haynes and Sanderson as prime sponsor(s).

House Bill No. 1694 Rep(s). Powell as prime sponsor(s).

House Bill No. 1738 Rep(s). Dean, Sexton, Bailey and Lundberg as prime sponsor(s).

House Bill No. 1742 Rep(s). Camper and Akbari as prime sponsor(s).

House Bill No. 1748 Rep(s). Forgety as prime sponsor(s).

House Bill No. 1841 Rep(s). Mitchell as prime sponsor(s).

House Bill No. 1916 Rep(s). M. Hill as prime sponsor(s).

House Bill No. 1918 Rep(s). Rogers, Matheny, Pitts and C. Johnson as prime sponsor(s).

House Bill No. 1940 Rep(s). Dean, Forgety, H. Brooks, Sexton, Bailey, Lundberg, Powers and K. Brooks as prime sponsor(s).

House Bill No. 1975 Rep(s). Mitchell as prime sponsor(s).

House Bill No. 1977 Rep(s). Mitchell as prime sponsor(s).

House Bill No. 2007 Rep(s). Durham as prime sponsor(s).

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House Bill No. 2010 Rep(s). Windle as prime sponsor(s).

House Bill No. 2290 Rep(s). Cooper, Akbari, J. Turner, Miller, Jones, Stewart, Mitchell and M. Turner as prime sponsor(s).

House Bill No. 2482 Rep(s). Pitts as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Weaver was/were removed as sponsor(s) of **House Bill No. 1765**.

On motion, Rep(s). Butt was/were removed as sponsor(s) of **House Bill No. 2293**.

MESSAGE FROM THE SENATE

February 24, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 569, 570, 571, 572, 574, 575, 576, 577 and 583; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

February 24, 2014

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 569, 570, 571, 572, 574, 575, 576, 577 and 583.

JOE McCORD, Chief Clerk

MESSAGE FROM THE SENATE

February 24, 2014

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1562, 1706 and 1707; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 1562** -- Sunset Laws - As introduced, extends the statewide community services agency, June 30, 2017, and clarifies that rules for the agency passed by commissioner of children's services prior to July 1, 2005, may be amended, replaced or repealed by the commissioner of finance and administration who has had rulemaking authority with regard to the agency since 2005. - Amends TCA Title 4, Chapter 29, Part 2 and Title 37, Chapter 5. by *Bell. (HB1583 by *Matheny, *Ragan)

***Senate Bill No. 1706** -- Agriculture - As introduced, clarifies that buildings used as residences by farmers and farm workers are "incidental to the agricultural enterprise". - Amends TCA Title 13, Chapter 7, Part 1. by *Niceley, *Bowling. (HB1545 by *Bailey)

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***Senate Bill No. 1707** -- Food and Food Products - As introduced, clarifies that poultry producers and growers acting in compliance with federal exemptions are exempt by regulation from specific provisions of the Tennessee Meat and Poultry Inspection Act; requires department of agriculture to maintain information concerning federal poultry producer and grower exemptions on its web site. - Amends TCA Title 4, Chapter 3, Part 2; Title 43 and Title 53, Chapter 7. by *Niceley. (HB1544 by *Bailey)

**MESSAGE FROM THE SENATE
February 24, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1350, 1460, 1514, 1515, 1516, 1517, 1519, 1520, 1523, 1531, 1539, 1542, 1543, 1550, 1622, 1640, 1648, 1701 and 1803; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
February 24, 2014**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 1350, 1460, 1514, 1515, 1516, 1517, 1519, 1520, 1523, 1531, 1539, 1542, 1543, 1550, 1622, 1640, 1648, 1701 and 1803.

JOE McCORD, Chief Clerk

**ENGROSSED BILLS
February 24, 2014**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 590, 937, 1414, 1417, 1587, 1604, 1605, 1607, 1613, 1624, 1627, 1632, 1708, 1796, 1943, 1944 and 2408; also House Joint Resolution(s) No(s). 661, 689, 690, 691, 692, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707 and 708.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SNATE
February 24, 2014**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No(s). 676; Amended, and concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 89

Representatives present were Akbari, Alexander, Armstrong, Bailey, Brooks H, Butt, Calfee, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Marsh, Matheny, Matlock, McCormick, McManus, Miller, Mitchell, Moody, Odom, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Todd, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

RECESS

On motion of Rep. McCormick the House stood in recess until 9:00 a.m., Thursday, February 27, 2014.